



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-2867



Donald Lee
5 Roy Avenue
Beverly, MA 01915

Re: Lots 25 & 26
Lattie Shore, Ossipee
Wet. File # 1988-2345

AMENDMENT TO
ADMINISTRATIVE ORDER
No. WD 2002-15

June 20, 2003

A. INTRODUCTION

Administrative Order No. WD 2002-15 ("the Order") was issued on April 17, 2002 by the Department of Environmental Services, Water Division to Donald R. Lee Sr. pursuant to RSA 482-A:6. This Amendment to the Order is issued as a result of the reconsideration procedure initiated at the request of Mr. Lee pursuant to RSA 482-A:10, and is effective upon issuance.

B. AMENDMENT

Administrative Order No. WD 2002-15 is hereby amended as follows:

1. The deadline specified in item E.1 for Mr. Lee to remove the breakwaters from his property is changed from June 1, 2002 to **August 1, 2003**, so that item E.1 now reads as follows:

1. By August 1, 2003, completely remove both the Lot 26 Wall and the Lot 25 Wall, with the following conditions:

- a. Both walls to be removed from DES jurisdiction.
- b. Any equipment used for removal to be operated landward of the high water mark of Lake Ossipee.
- c. Siltation and erosion controls shall be installed to prevent any water quality degradation.
- d. Photos documenting removal to be submitted within 10 days of completing the removal.

2. Items E.3 and E.4 are replaced with the following:

3. a. **By August 1, 2003**, submit a plan to remove enough material from the Lake adjacent to where the walls were constructed to breach the sandbar and reestablish flow through the area. Include in the plan a time table for the removal, which shall occur during low flow/draw-down conditions no later than fall/winter 2003.

b. Implement the plan as conditioned and approved by DES.


4. a. Hire a hydrogeologist or sedimentologist acceptable to DES to monitor the area for a period of five years from the date the walls and sandbar material are removed and to submit written annual reports to DES. The reports shall include photographs and charts or graphs representing baseline conditions and the current year's conditions in a form that allows reasonable comparison, together with the consultant's assessment of whether sedimentation in the area is decreasing at a reasonable rate.

b. If after three years of the monitoring period the consultant concludes that sedimentation is not decreasing at a sufficient rate to prevent sandbar growth, submit a plan to remove additional material from the Lake, including a time table for the removal, and implement the plan as conditioned and approved by DES.

In all other respects, the Order remains in full force and effect.

The Order was recorded in the Carroll County Registry of Deeds at Book 2018, Page 285 so as to run with the land. This Amendment to the Order is likewise being recorded in the Carroll County Registry of Deeds.


Natty E. Stewart, P.E., Director
Water Division


Michael P. Nolin
Commissioner

Certified Mail/RRR:

cc: Gretchen Rule, Administrator, DES Legal Unit
Mark Harbaugh, DES Enforcement Attorney
Public Information Officer, DES Public Information Center
Jennifer Patterson, Senior Asst. Attorney General, EPB, NHDOJ
Carroll County Registry of Deeds
Ossipee Selectmen
Ossipee Conservation Commission
Ossipee Bluffs Association